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OFFICE OF GENERAL COUNSEL



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April 25, 1983

To the President of the Senate and the
Speaker of the House of Representatives

This letter is to report on the status of budget authority that was proposed for rescission, but for which Congress failed to pass a rescission bill as defined in section 1011 of the Impoundment Control Act.

In his fifth special message for fiscal year 1983, dated February 1, 1983, the President proposed 19 rescissions of budget authority totalling \$1.552 billion. The funds proposed for rescission were provided for the following activities: (1) to the President, for Appalachian regional development programs (R83-2, \$15,133,000); (2) to the Department of Agriculture, Agricultural Research Service, for buildings and facilities (R83-3, \$1,927,000); Soil Conservation Service, for watershed and flood prevention operations (R83-4, \$68,995,000), and resource conservation and development (R83-5, \$5,600,000); Agricultural Cooperative Service, for salaries and expenses (R83-6, \$779,000); Rural Electrification Administration, for the rural telephone bank (R83-20, \$23,400,000); (3) to the Department of Education, Office of Elementary and Secondary Education, for compensatory education for the disadvantaged (R83-7, \$133,925,000), school assistance in Federally affected areas (R83-8, \$5,000,000), special programs and populations (R83-9, \$56,639,000), and Indian education (R83-10, \$16,128,000); Office of Bilingual Education and Minority Language Affairs, for bilingual education (R83-11, \$43,523,000); Office of Postsecondary Education, for guaranteed student loans (R83-12, \$900,000,000), and higher and continuing education (R83-13, \$68,941,000); Office of Educational Research and Improvement, educational research and statistics (R83-14, \$6,225,000); (4) to the Department of Housing and Urban Development, for payments for operation of low income housing projects (R83-15, \$69,000,000); (5) to the Department of the Interior, National Park Service, for construction (R83-16, \$63,600,000); (6) to the Department of Transportation, Federal Highway Administration, for Federal-aid highways (R83-17, \$23,200,000); Coast Guard, for the national recreational boating safety and facilities improvement fund (R83-18, \$5,000,000); and (7) to the Corporation for Public Broadcasting (R83-19, \$45,000,000).

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Section 1012(b) of the Impoundment Control Act requires that funds proposed for rescission be made available for obligation unless Congress completes action on a rescission bill within the 45-day period of continuous congressional session following the day such proposal is received by Congress. For the rescission proposals submitted in the President's fifth special message, the 45-day period ended on April 12, 1983, without Congress having passed such a bill.

We have confirmed that on April 13, 1983, the Office of Management and Budget apportioned the funds proposed for rescission to the agencies to which they were appropriated. (In rescission proposal R83-20, Corporation for Public Broadcasting, the funds proposed for rescission are advance appropriations that will not be available for obligation until fiscal year 1985. Accordingly, no funds were withheld from obligation incident to the rescission proposal and no new apportionment was required.)

Harry R. Van Cleve
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